

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

BRANDON CALLIER,

Plaintiff,

v.

SUNPATH LTD; NATIONAL CAR
CURE LLC; NORTHCOAST
WARRANTY SERVICES, INC.;
JOHN DOES #1-4,

Defendants.

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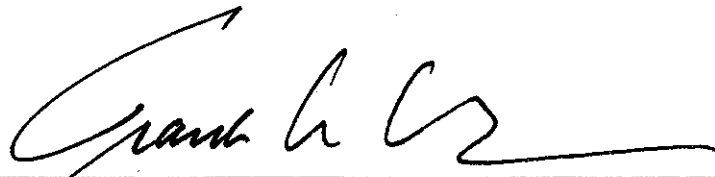
EP-20-CV-00106-FM

ORDER OF DISMISSAL FOR FAILURE TO PROSECUTE

The court considers the status of this cause. On November 10, 2020, the court ordered Brandon Callier ("Plaintiff") to file notice of his continued intent to prosecute defendants "John Does #1-4" no later than December 15, 2020.¹ The record reflects Plaintiff did not do so. As Plaintiff failed to name all defendants after a reasonable period of time and opportunity to do so, all claims against "John Does #1-4" shall be dismissed for failure to prosecute.²

Accordingly, it is **HEREBY ORDERED** that all claims against "John Does #1-4" are **DISMISSED WITHOUT PREJUDICE**.

SIGNED AND ENTERED this 4th day of **January 2021**.



FRANK MONTALVO
UNITED STATES DISTRICT JUDGE

¹ "Order to File Notice of Intent to Prosecute" I, ECF No. 51, entered Nov. 10, 2020.

² See *Colle v. Brazos County*, 981 F.2d 237, 243 (5th Cir. 1993).